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**MAILED**

Paper No. 5

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Applicant	Gold et al.	<b>SEP 29 1983</b> <b>BOARD OF PATENT INTERFERENCES</b>
Ser. No.	446,929	
Filed	12/06/82	
For	7-CARBOXYALKYLAMINOACYL-1,4-DITHIA-7-AZASPIRO(4,4)-NONANE-8-CARBOXYLIC ACIDS	

Accorded Benefit of Serial Nos. 258,484 filed 04/28/81  
201,649 filed 10/28/80  
199,886 filed 10/23/80

The case referred to above has been forwarded to the Board of Patent Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared under the Rules of Practice as amended effective July 1, 1965, and as further amended effective to the date of this notice. The interference is identified as

No. 101,117

By direction of the Commissioner of Patents and Trademarks and as required by 35 U.S.C. 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

☐ In view of the accompanying order to show cause entered in this interference under Rule 228 no schedule of times is set. Rule 207(e).

☒ The schedule of times under Rule 207(b) is set as follows:

- (1) The preliminary statement (Rules 215 et seq.) must be filed and opposing parties notified of its filing by 28 NOV 1983  
(It should be filed in a sealed envelope bearing the name of the party filing it and the number of the interference.)
- (2) A copy of the preliminary statement and attachments must be served on each opposing party from whom a notice of filing a preliminary statement has been received by 13 DEC 1983
- (3) Motions under Rule 231 must be filed by JAN 27 1984

If you expect to obtain the benefit of any application filed in this or any other country, including any intermediate applications, you must file a motion under Rule 231(a)(4) unless such application is specified in this notice. Rule 224.

**APPLICATION**

The interference involves your \_\_\_\_\_ identified above and:

Pertinent information regarding the parties involved in this interference is as follows:

Junior Party

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23 Timberlane Drive, Pennington, N.J. 08534

Serial No.: 306,553 filed 09/28/81

For: CARBOXYALKYL AMINO ACID DERIVATIVES OF VARIOUS SUBSTITUTED PROLINES

Accorded benefit of: Serial No. 209,563 filed 11/24/80

Attorneys of Record: Lawrence S. Levinson  
Stephen B. Davis

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Serial No.: 446,929 filed 12/06/82

For: 7-CARBOXYALKYLAMINOACYL-1,4-DITHIA-7-AZASPIRO(4.4)-NONANE-8-CARBOXYLIC ACIDS

Assignee: Schering Corp., Galloping Hill Road, Kenilworth, NJ, a corp. of NJ

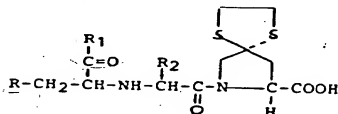
Accorded benefit of: Serial Nos. 258,484 filed 04/28/81  
201,649 filed 10/28/80  
199,886 filed 10/23/80

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Count 1

A compound represented by the formula



wherein:

R is lower alkyl, benzyl, benzylthio, benzyloxy, phenylthio, or phenoxy;

$R_1$  is hydroxy or lower alkoxy;

$R_2$  is hydrogen, lower alkyl or aminolower-alkyl;


and the pharmaceutically acceptable salts thereof.

The relation of the count of the interference to the claim of the respective parties is as follows:

<u>Count</u>	<u>Petrillo et al</u>	<u>Gold, et al</u>
1	40(s)	1

After termination of this interference, this application will be held subject to further examination under Rule 1.266. Claims 2-29 will be held subject to rejection as unpatentable over the issue in the event of an award of priority adverse to applicant.

Count compared/dal

  
Patent Interference Examiner  
(703) 557-4015